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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

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16 The Estate of MARILYN BURGARD,
17 Deceased, by and through KEVIN HORAN
18 its Special Administrator,

19 Plaintiff,

20 vs.

21 BANK OF AMERICA, N.A., a foreign
22 Corporation; AETNA LIFE INSURANCE
23 COMPANY, a foreign Corporation; DOES I
24 through X; and ROE CORPORATIONS I
25 through X.

26 Defendants.

27 **CASE NO.: 2:15-cv-00833-RFD-GWF**

28
29 **STIPULATION AND ORDER TO ALLOW DEFENDANT TO FILE A SUPPLEMENT**
30 **TO DEFENDANT MOTION FOR SUMMARY JUDGMENT AND TO ALLOW**
31 **PLAINTIFF TO FILE ON OMNIBUS OPPOSITION**
32 **(First Request)**

33 The Parties have stipulated to allow Defendants to file their Supplement to Motion for
34 Summary Judgment (ECF NO. 62-1) which was attached to their Motion for Leave (ECF 62). The
35 parties have further stipulated to that Plaintiff shall have ten (10) judicial days from the date
36 Defendants' file the Supplement and/or from the date the Court grants this Stipulation and Order,
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1 whichever is to occur later, to file an Omnibus Opposition to Defendants' Motion for Summary
2 Judgment and Supplement. Defendant shall have fourteen (14) days after the Omnibus Opposition
3 is filed to file a reply brief. The reasons supporting this stipulation are as follows: On November 16,
4 2016, the deposition of Patricia Parker, Bank of America Global Human Resource Services Deliver
5 Manager as the corporate designee, was taken. As such, the parties have obtained the transcripts and
6 exhibits. Further, the request for Plaintiff to file an Omnibus Opposition prevents the need for
7 additional motion work and additional filings later.
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9 IT IS STIPULATED AND AGREED by and between the parties that Defendants may file
10 the Supplement to their Motion for Summary Judgment (ECF NO. 62-1).

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1 IT IS STIPULATED AND AGREED by and between the parties that Plaintiff shall have ten
2 (10) judicial days from the date Defendants file the Supplement and/or from the date the Court grants
3 this Stipulation and Order, whichever is to occur later, to file an Omnibus Opposition to Defendants'
4 Motion for Summary Judgment and Supplement. Defendants shall have fourteen (14) days after the
5 Omnibus Opposition is filed to file a reply brief.
6

7 Dated this 15th day of December, 2016.

Dated this 15th day of December, 2016.

8 /s/ Jerome R. Bowen, Esq.

/s/ Robert S. Larsen, Esq.

9 JEROME R. BOWEN, ESQ.

ROBERT S. LARSEN, ESQ.

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14 Attorneys for Plaintiffs

Las Vegas, Nevada 89101

15 Attorneys for Defendants Aetna Life Insurance
Company and Bank of America

16 IT IS SO ORDERED.

17 

18 RICHARD F. BOULWARE, II

19 United States District Judge

20 DATED this 2nd day of January, 2017.

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